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S E C R E T SECTION 01 OF 02 TAIPEI 000469

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SUBJECT: CHEN MOVES TOWARD DECISION ON UNIFICATION GUIDELINES

Classified By: AIT Acting Director David Keegan,
Reasons: 1.4 (b/d)

11. (S) Summary: President Chen Shui-bian is moving toward a final decision on the National Unification Council (NUC) and Guidelines in time for the March 14 anniversary of China's Anti-Secession Law. The National Security Council (NSC) may try to float the argument that the NUC and Guidelines were policies of the former KMT administration with no basis in law and therefore no standing with the Chen government. By all accounts, Chen's January 29 statement came as a complete surprise to most -- if not all -- of Chen's advisors, including Premier Su Tseng-chang, to whom Chen subsequently explained that he had raised the NUC in response to KMT Chairman Ma Ying-jeou's statement to Newsweek that the KMT's ultimate goal is unification. End Summary.

12. (S) National Security Council (NSC) Senior Advisor Chen Chung-shin told AIT February 13 that President Chen had first asked the NSC to look into possible action on the National Unification Council (NUC) and National Unification Guidelines (NUG) after the DPP defeat in local elections on December 3. Because of this tasking, Chen Chung-shin said, President Chen's January 29 announcement that it is time to seriously consider abolishing the NUC and NUG did not come as a complete surprise to the NSC, though Chen Chung-shin apparently did not have any advance information that President Chen would raise the issue publicly on January 29.

13. (S) Chen Chung-shin attributed President Chen's raising the NUC/NUG issue to pressure from deep-Green independence fundamentalists, including Lee Teng-hui. He also cited KMT Chairman Ma Ying-jeou's statement that the KMT's ultimate goal is unification as a reason for President Chen's public statement. The NSC plans to complete its analysis of NUC and NUG (including domestic, PRC, and international reaction) and make a recommendation to the president by the end of February for a final decision. Chen Chung-hsin told AIT that the timing of a decision is being driven by the first anniversary of the PRC Anti-Secession Law (March 14).

14. (S) Chen Chung-shin noted that while the U.S. refers to the &five no,s,8 Taiwan draws a distinction between the &four no,s,8 which remain as categorical statements about certain actions Chen will not take, and Chen's apparently less categorical statement in 2000 that "ther is no question of abolishing the NUG and the NUC.8 President Lee established the NUC on the basis of a KMT central committee resolution, Chen explained, and Premier Hau merely reported the NUG to the Executive Yuan without seeking EY views. In addition, the Democratic Progressive Party (DPP), then in opposition, did not support the NUC and NUG. The NSC is now working to develop a legal argument that the NUC and NUG, as policies of the previous administration with no basis in law, do not apply to the current DPP government. Chen said there are different views circulating in the NSC, and one idea he is exploring is that President Chen might make a statement about what the current policy is in order to differentiate it from the previous KMT policy. It is not clear whether such a statement would refer specifically to the NUC and NUG.

15. (S) Chen Chung-shin suggested that dealing with the NUC/NUG issue will appease the deep-Green fundamentalists and reduce calls for more extreme measures. He noted that some are also calling for elimination of the phrase &before unification8 from the regulations governing cross-Strait interactions, adding that he has expressed opposition to this proposal. Such a revision would require action by the Legislative Yuan, where the opposition pan-Blue has a majority, he explained. Even if enough support could be found to eliminate the phrase from the regulations, there is a similar phrase in the constitution, the elimination of which would require an impossible three-fourths super majority in the LY as well as a referendum.

16. (S) President Chen's statement regarding the NUC and NUG on January 29 came as a complete surprise to Premier Su Tseng-chang, his Chief of Staff Wu Hsiang-jung told AIT.

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President Chen subsequently told Su that he was raising the issue because KMT Chairman Ma Ying-jeou had referred to the NUG when he recently talked about unification being the ultimate goal of the KMT. (Note: KMT LY President Wang Jin-pyng reported to Taiwan media that President Chen had

told him that the reason for raising the issue of abolishing the NUC and NUG was that Ma Ying-jeou had said that unification is the nation's ultimate goal. End Note.) Wu noted that Su has maintained distance from the president by not commenting on Chen's proposal.

17. (S) President Chen made his January 29 statement about the NUC and NUG as a result of listening to deep-Green independence fundamentalists, Wu suggested. In follow-up statements, President Chen has continued to lay the basis for abolishing the NUC and NUG, Wu observed. He predicted that Chen will continue down this course because Chen wants to show some accomplishment for his presidency.

18. (S) The fate of the National Unification Council and Guidelines is one issue on which deep-Green ideology and Chen's domestic political maneuvering lead to a single conclusion. Chen is trying to persuade his followers that it is both ideologically attractive and politically advantageous to cut down one more symbol of Taiwan's possibly re-unifying with China.

KEEGAN